

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

SADI FOFANA,

Defendant.

DENISE COTE, District Judge:

S1 19Cr0447 (DLC)

ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/18/2020

Following his February 5 admission to two specifications of violation of probation, the defendant was scheduled to be sentenced on March 4, 2020. At the March 4 sentencing proceeding, after the Court indicated that it was considering the guidelines range of between 12 to 18 months that applied at the time the defendant was originally sentenced on October 4, 2019, the defendant requested an adjournment to submit additional information for the Court's consideration. That submission was due March 16.

On March 15, the Court ordered the parties to confer as to whether the March 19 sentencing should be adjourned in light of the COVID-19 outbreak. On March 16, defense counsel responded stating inter alia that he did not "not oppose the Court's decision to adjourn" the March 19 sentencing. The March 15 Order, however, did not adjourn the sentencing. Defense counsel

also requested that the defendant be released on bail pending sentence.

On March 17, the Government consented to the adjournment but opposed the application for bail. On March 18, defense counsel filed his response. Defense counsel concluded his letter by stating "[I] will attend the March 19th sentencing - or a subsequent date - should the Court elect to not release Mr. Fofana and proceed with sentencing." On March 18, defense counsel advised the Court that he consented to the adjournment of sentencing in the event the defendant was not released on bail.

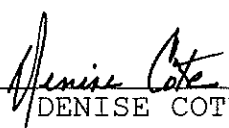
Being familiar with the record in this case, having reviewed the letters by counsel, and having considered each of the arguments presented in those letters, it is hereby

ORDERED that the March 19 sentencing date is adjourned to **May 8 at 2 p.m.** in Courtroom 18B, 500 Pearl Street.

IT IS FURTHER ORDERED that defendant's request for bail is denied.

IT IS FURTHER ORDERED that the letters dated March 16, March 17 and March 18, 2020 shall be filed under seal.

Dated: New York, New York
March 18, 2020



DENISE COTE
United States District Judge